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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RICHARD GIBSON and ROBERTO
MANZO,

Plaintiffs,

v.

CENDYN GROUP, LLC, THE
RAINMAKER GROUP UNLIMITED, INC.,
CAESARS ENTERTAINMENT INC.,
TREASURE ISLAND, LLC, WYNN
RESORTS HOLDINGS, LLC,
BLACKSTONE, INC., BLACKSTONE
REAL ESTATE PARTNERS VII L.P., JC
HOSPITALITY, LLC,

Defendants.

Case No. 2:23-cv-00140-MMD-DJA

**JOINT MOTION FOR EXTENSION OF
TIME AND ALTERATION OF PAGE
LIMITS AND [PROPOSED] ORDER**

(SECOND REQUEST)

Plaintiffs Richard Gibson and Roberto Manzo (“Plaintiffs”) and Defendants Cendyn Group LLC, the Rainmaker Group Unlimited, Inc., Caesars Entertainment, Inc., Treasure Island, LLC, Wynn Resorts Holdings, LLC, Blackstone Inc., and Blackstone Real Estate Partners VII L.P., (together, “Certain Defendants”) (collectively, Plaintiffs and Certain Defendants are

1 referred to herein as the “Parties”), by and through their respective counsel, for good cause
2 shown, hereby stipulate under Local Rule 7-1(c) and agree as follows:

- 3 1) Plaintiffs filed their amended complaint on November 27, 2023. (ECF No. 144.)
- 4 2) The Parties proposed a briefing schedule on December 7, 2023. Under the briefing
5 schedule proposed by the parties, Defendants would file their motion to dismiss by
6 February 14, 2024; Plaintiffs would file their opposition by April 26, 2024;
7 Defendants would file their reply in support of the motion to dismiss by June 14,
8 2024. (ECF No. 149.) The Court granted in part and denied in part the stipulation.
9 The Court stated that “normal briefing schedule will apply” with Defendants filing
10 their motion to dismiss by February 14, 2024, Plaintiffs filing their opposition by
11 February 28, 2024, and Defendants filing their reply by March 6, 2024. (ECF No.
12 150).
13
14 3) Certain Defendants moved on February 9, 2024 for an additional 6 pages for their
15 joint opening brief, which the Court granted on February 12, 2024. (ECF Nos. 158,
16 159.)
17
18 4) On February 14, 2024, Certain Defendants filed a thirty page joint motion to dismiss.
19 (ECF No. 160). In addition, Defendants Blackstone Inc. and Blackstone Real Estate
20 Partners VII L.P., (collectively, the “Blackstone Entities”) filed a ten page individual
21 motion to dismiss. (ECF No. 161). The motions to dismiss were filed eighty-four days
22 after Plaintiffs filed their amended complaint and seventy-six days after the last new
23 defendant had been served.
24
25 5) Plaintiffs respectfully request (1) an additional week to respond to Defendants’ two
26 motions to dismiss (increasing their time to respond from two weeks to three weeks),
27 and (2) for the ability to file a single combined opposition of no more than 40 pages
28

1 that will respond to both the Joint Motion to dismiss and the Individual Motion to
2 Dismiss by the Blackstone Entities.

3 6) Plaintiffs conferred regarding this issue with Defendants. Defendants state that, while
4 they recognize the Court stated the “normal briefing schedule will apply” and did not
5 seek an extension to that schedule, Defendants do not oppose Plaintiffs’ request
6 provided that, if the Court granted it, Defendants would receive a corresponding one
7 week extension for their Replies and five additional pages for the Joint Motion to
8 Dismiss (a total of no more than 17 pages for their Joint Reply).¹ Plaintiffs do not
9 oppose Defendants’ request.

10
11 7) The Parties respectfully submit that an extension of seven days each for the normal
12 briefing schedule provided under the Local Rules for the Oppositions and Replies to
13 the Motions to Dismiss is appropriate due to the complexity of the issues and the
14 multiple briefs that were filed.

15
16 8) Plaintiffs respectfully submit that a combined brief of 40 pages will allow for greater
17 efficiency in addressing Certain Defendants’ arguments and will result in less over all
18 pages before the Court. Pursuant to Local Rule 7-3(b), Plaintiffs would have been
19 entitled to up to 48 pages of total briefing, so this proposal results in 8 less total pages
20 presented by the Plaintiffs. The 40 pages requested is also exactly equal to the
21 number of pages collectively used by the Joint and Blackstone Entities Motions to
22 Dismiss. The corresponding extensions for Certain Defendants’ joint replies would
23 allow them to efficiently respond to Plaintiffs’ opposition and address overlapping
24
25

26 ¹ For the avoidance of doubt, the proposed 17-page limit for the Joint Reply shall not apply to
27 any reply the Blackstone Entities may file in connection with their motion to dismiss (ECF No.
28 161). The Blackstone Entities do not seek any modification of the applicable page limit in L.R.
7-3 for such reply.

arguments in their Joint Reply, while ensuring they have sufficient time to coordinate arguments among six Defendants.

9) This is the second stipulation for an extension of time related to the briefing schedule for any motion to dismiss the Amended Complaint.

Accordingly, the Parties hereby stipulate and agree, and respectfully request that the Court order, the following schedule:

10) Plaintiffs' deadline to respond to Defendants' two pending motions to dismiss shall be extended one week from February 28, 2024 to March 6, 2024;

11) Plaintiffs shall file a combined opposition brief of no more than 40 pages to respond to both the Joint Motion to Dismiss (ECF No. 160) and the Blackstone Entities Motion to Dismiss (ECF No. 161);

12) Defendants would receive a corresponding extension of one week for their replies in support of the motion to dismiss, from March 6, 2024 to March 20, 2024, and an additional 5 pages for their joint motion reply briefing.

IT IS SO ORDERED:

UNITED STATES DISTRICT JUDGE
UNITED STATES MAGISTRATE JUDGE

Dated: _____

Dated: February 21, 2024

Respectfully submitted,

By: /s/ Steve W. Berman

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